

Express Mail Label No. EL715817015US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification  
of this Application:  
☐ Class ☐ Subclass  
Prior Application  
Examiner: Zahn, Jeffrey, N.  
Art Unit: 2828

CONTINUATION APPLICATION TRANSMITTAL

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231



Dear Sir:

This is a request for filing a continuation application pursuant to 37 C.F.R. § 1.53(b), of pending prior application:

Serial No. 09/328,149 filed June 8, 1999, by Junichi Kinoshita (inventor) currently of record in prior application) for SURFACE EMITTING LASER AND SEMICONDUCTOR LIGHT EMITTING DEVICE.

1. ☒ Enclosed is a copy of the prior application, including the oath or declaration as originally filed, or a replacement specification which does not add new matter.
2. ☒ The filing fee is calculated below:

CALCULATION OF FEES								
ITEM		TOTAL NO. OF CLAIMS		NO. OF CLAIMS OVER BASE	LG/SM \$ ENTITY FEE		\$ AMOUNT	\$ FEE
A	TOTAL CLAIMS FEE	20	-20	0	LG=\$18 SM=\$9	\$	\$ 0	
B	INDEPENDENT CLAIMS FEE*	3	-3	0	LG=\$84 SM=\$42	\$	\$ 0	
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (ADD FINAL COLUMN IN LINES A + B)							\$ 0
D	MULTIPLE-DEPENDENT CLAIMS FEE					LARGE ENTITY FEE = \$280 SMALL ENTITY FEE = \$140		\$
E	BASIC FEE					LARGE ENTITY FEE = \$740 SMALL ENTITY FEE = \$370		\$ 740
F	TOTAL FILING FEE (ADD TOTALS FOR LINES C, D, AND E)							\$ 740
	*LIST INDEPENDENT CLAIMS 1, 17 and 20							

3. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 50-1314. A copy of this sheet is enclosed.
4. ☒ A check in the amount of \$ 740 is enclosed.

5. ☐ Cancel in this application original claim(s) \_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

6. ☒ Amend the specification by inserting before the first line the sentence:

*ay* This is a continuation of application Serial No. 09/328,149 filed June 8, 1999, which application is hereby incorporated by reference in its entirety.

7a. ☐ New formal drawings are enclosed.

7b. ☒ Priority of application Serial No(s):

Japanese application Serial No. 160680/1998 filed June 9, 1998 is claimed under 35 U.S.C. § 119.

7c. ☒ The certified copy of the priority application was filed in prior application Serial No. 09/328,149, filed June 8, 1999.

8. ☒ The prior application is assigned of record to: Kabushiki Kaisha Toshiba.

9. ☐ The power of attorney in the prior application is as listed on the attached filed in the parent application.

a. ☒ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed

c. ☒ Address all future communications to:

Michael L. Crapenhof  
HOGAN & HARTSON L.L.P.  
Biltmore Tower  
500 South Grand Avenue, Suite 1900  
Los Angeles, CA 90071  
Telephone: (213) 337-6700  
Facsimile: (213) 337-6701

☒ Customer Number



26021

PATENT TRADEMARK OFFICE

d. ☒ A new Associate Power of Attorney is enclosed.

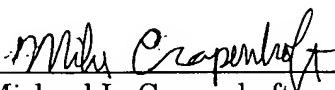
10. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

11. ☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ Applicant no longer claims small entity status.

12. ☒ An Information Disclosure Statement listing 7 references is enclosed.

Date: February 13, 2002

  
\_\_\_\_\_  
Michael L. Crapenholtz  
Registration No. 37,115

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Los Angeles, California 90071  
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02/13/02  
JC903 U.S. PTO

02-19-02

A

PATENT  
Attorney Docket No: 81788.0216

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KINOSHITA, Junichi

Serial No: Not Assigned (Parent: 09/328,149)

Filed: February 13, 2002

For: SURFACE EMITTING LASER AND SEMICONDUCTOR  
LIGHT EMITTING DEVICE

Art Unit: Not Assigned

Examiner: Not Assigned

JC973 U.S. PTO  
10/07/6698  
02/13/02

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No. EL715817015US

Date of Deposit: February 13, 2002

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I hereby certify that

- ☒ two copies of a letter of transmittal
- ☒ check in amount of \$ 740.00 as filing fee
- ☒ patent application ( 20 page(s) of specification; 20 claim(s); 1 page(s) of abstract
- ☒ 7 sheet(s) of formal drawings
- ☒ executed Declaration and Power of Attorney (copy)
- ☐ assignment of the invention to \_\_\_\_\_
- ☐ certified copy of \_\_\_\_\_ patent application No. \_\_\_\_\_ which was filed \_\_\_\_\_ from which priority is claimed in the subject case pursuant to 35 U.S.C. § 119
- ☐ Preliminary Amendment
- ☒ Information Disclosure Statement with 7 references
- ☒ Associate Power of Attorney is enclosed
- ☒ return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231.

Date: February 13, 2002

Hogan & Hartson, LLP  
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Los Angeles, California 90071  
Telephone: 213-337-6700  
Facsimile: 213-337-6701

Emily Cruz

Name of person mailing papers

Signature